

## REMARKS

Claims 26-37 are pending in the present application. Claims 13-25 were canceled, without prejudice. New claims 26-37 have been added in this response. No new matter has been introduced as a result of these amendments. Support for the amendments may be found, for example, in FIG. 3 and pages 10-12 of the specification. Favorable reconsideration is respectfully requested.

Previous claims 13-16, 21 and 23-24 were rejected under 35 U.S.C. §102(b) as being unpatentable over *Ito et al.* (US Patent 5,278,835). Previous claims 17-18 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Ito et al.* (US Patent 5,278,835). Applicants respectfully traverse these rejections.

The present claims are directed to addressing the problem of synchronizing mobile units with a fixed station when a new mobile unit logs into a fixed station. This problem is particularly acute when dealing with carrier frequencies that change, such as those in frequency hopping spread spectrum systems. In contrast, *Ito* utilizes a concurrent use of the same frequency within the service area of a system (i.e. “frequency reuse”) to bypass the use of a control station (CS) when communicating among a plurality of base stations under a TDMA standard (col. 1, lines 17-29, col. 1, line 59 - col. 2, line 14).

As discussed in the previous response, the control signal (SACCH) of *Ito* does not teach the check data as it now relates to the presently amended claims. The control signal SACCH in *Ito* is transmitted along with the timeslots from the bases station, where the mobile station determines the presence or absence of a free time slot on the basis of the *reception field strength* of each wave (col. 6, lines 22-43). Accordingly, the SACCH signal does not provide identification of the sequence selected by the processor, and a time slot position of a specific carrier frequency being used by the fixed station during transmission. Under *Ito*, at the time of transmission from the mobile station (i.e., not the fixed station), the system is not aware of the presence or absence of free time slots - the control circuit (31) in the mobile station determines the presence of free time slots and then forwards the information to the base station (col. 9, lines 22-61).

The mobile phones in *Ito* monitor reception signals (fRk, k=1, 2, ...) and determine via “use states” whether all time slots are being used (col. 9, lines 4-21). If this is the case, the

phone increments a register (k) to go to the next signal (col. 9, lines 22-39). When a free time slot (TS2) is detected by the control circuit (31), the position of the free time slot is calculated and stored, along with the radio frequency (fR2) in which the time slot was received (col. 9, lines 40-52). The control circuit then sets up a dedicated control channel on a fixed frequency (C-CH) to transmit this information to the base station (i.e., fixed station) (col. 9, lines 52-61; col. 7, lines 44-63). Once the base station receives this information, a response signal is sent back to the mobile phone, and a speech channel corresponding to the received frequency (fT2) is set up using the free time slot (fT2) (col. 10, lines 6-37).

Thus, *Ito* only teaches the detection of a free time slot, where a detected frequency (fR2, fT2) at the mobile station is used to establish a speech path with a base station using the free time slot (TS2) (col. 10, lines 31-37). *Ito* does not teach the features of transmitting data from the fixed station, wherein the data comprises check data, and the check data comprises identification of a selected sequence along with a time slot position of a specific carrier frequency being used by the fixed station during the step of transmitting. Furthermore, *Ito* also fails to teach or suggest the features of determining, via the mobile unit, the time slot position of the specific carrier frequency relative to the selected sequence using the transmitted check data; determining, via the mobile unit, a subsequent carrier frequency used in subsequent time slot relative to the time slot position of the specific carrier frequency using the check data; and changing to the subsequent carrier frequency, via both the mobile unit and the fixed station, after a predetermined time period in accordance with the selected sequence as recited in new claim 26 and similarly recited in claim 33.

In light of the above, Applicants respectfully submit that claims 26-37 are patentable and non-obvious over the art of record because *Ito* does not disclose, teach or suggest all of the elements of claims 13-25. Accordingly, Applicants respectfully request that claims 26-37 be deemed allowable at this time and that a timely notice of allowance be issued in the case. If any other fees are due in connection with this application has a whole, the Patent Office is authorized to deduct the fees from Deposit Account No. 02-1818. If such a withdrawal is made, please indicate the Attorney Docket No. (112740-103) on the account statement.

Respectfully submitted,

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